

December 23, 2022

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

[illegible]

Civil Action No. 1:22-cv-139

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transfer would serve “the convenience of the parties and witnesses” and “the interests of justice.” *Id.*

### **III. Discussion**

This case stems from the death of Fernando Manzano (hereinafter, “Manzano”) on or about September 26, 2022. Dkt. No. 1 at 3. That morning, Manzano was traveling southbound on Interstate 35, within the city limits of Waco, Texas. *Id.* Defendant Rajinder Pal Singh then allegedly struck Manzano’s vehicle. *Id.* Manzano died from the injuries sustained from the collision. *Id.*

On October 4, 2022, Claudia Patricia Posada filed this lawsuit individually, as the purported surviving spouse of Manzano, as the purported successor to Manzano’s estate, and as next friend of Manzano’s minor child C.E.M. (hereinafter, “Plaintiffs”). Dkt. No. 1. Plaintiffs assert that “venue is proper . . . pursuant to 28 U.S.C. § 1391(b) because the cause of action arose within the Southern District of Texas.” *Id.* at 2. Manzano appeared to be residing in Brownsville, Texas at time of death. Dkt. No. 12-1. Defendant 9280-8401 Quebec, Inc., d/b/a BKFS Logistics has its principal place of business in Dorval, Quebec, Canada. Dkt. No. 1 at 2. Defendant Rajinder Pal Singh resides in Mississauga, Ontario, Canada. *Id.*


Plaintiffs assert the incident in question occurred within McLennan County. *Id.* at 3. McLennan County is in the Waco Division of the Western District of Texas. 28 U.S.C. 124(d)(2) (“The Waco Division comprises the counties of Bell, Bosque, Coryell, Falls, Freestone, Hamilton, Hill, Leon, Limestone, McLennan, Milam, Robertson, and Somervell.”). The events that led to Plaintiffs filing this lawsuit allege no connection to the Southern District of Texas in general, or the Brownsville Division in particular.

Accordingly, the interests of justice would be served by a transfer to the Waco Division of the Western District of Texas.

**IV. Conclusion**

For the foregoing reasons, it is **ORDERED** that this case be transferred to the United States District Court for the Western District of Texas, Waco Division. The Clerk of Court is directed to **CLOSE** this case in this division.

**SIGNED** on this **23rd** day of **December, 2022**, at Brownsville, Texas.



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**Ignacio Torteya, III**  
**United States Magistrate Judge**